

REMARKS

Applicant expresses its appreciation for the indications that claims 46 and 47 are allowed, and that claims 34, 37, 41, 42 and 44 would be allowable if rewritten in independent form to include all limitations of the base claim and any intervening claim. Applicant has introduced the recitations of claim 37 into claim 23 and canceled claims 34 and 37. Claim 27 has been canceled (as duplicative with claim 31). Applicant has introduced the recitations of claim 41 into claim 39 and canceled claim 41. Applicant has corrected the dependencies of claims 36 and 42. Lastly, Applicant has corrected the spelling of the propellant recited in claim 30. Thus, these amendments add no new matter. Applicant respectfully requests entry of these amendments. Claims 23-26, 29-33, 35, 36, 38-40, and 42-47 should all be allowable.

Regarding the Supplemental Information Disclosure Statement filed on December 9, 2008, Applicant respectfully requests consideration of items 14 and 16 under Foreign Patent Documents, i.e., references ES 2,141,049 and JP 7-080069. These two items were crossed out, indicating that they were not considered, despite the submission of English abstracts. The Examiner's attention is kindly directed to M.P.E.P. § 609.04(a) II, which states that "[i]f no translation is submitted, the examiner will consider the information in view of the concise explanation and insofar as it is understood on its face, e.g., ... English language abstracts, in the same manner that non-English language information in Office search files is considered by examiners in conducting searches." Thus, an English language abstract may fulfill the requirement for a concise explanation of relevance. See M.P.E.P. § 609.04(a) III.

Lastly, Applicant submits herewith a certified copy of priority document GB9616237.5. Priority should now be perfected.

As it is believed that all of the rejections/objections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that she telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which she might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: March 11, 2009

Respectfully submitted,

By 

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